

# Notice of Allowability

Application No.

09/666,864

Examiner

Tony Mahmoudi

Applicant(s)

STERN ET AL.

Art Unit

2165

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the After-Final amendment filed on 28-July-2005.
2. ☒ The allowed claim(s) is/are 2-4, 6, 8-11, 14-17, 19-23, 25, 27-29, 31-33, 37-40 and 43-46, re-numbered as claims 1-32.
3. ☒ The drawings filed on 21 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20050805.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Remarks*

1. In response to the After Final amendment filed on 28-July-2005, claims 18, 26, 36 and 41-42 are canceled; claims 14-17, 19-23, 25, 27-29 and 37-39 have been amended; and new independent claims 45 and 46 have been added per applicant's request. Therefore, claims 2-4, 6, 8-11, 14-17, 19-23, 25, 27-29, 31-33, 37-40 and 43-46 are pending in the application, of which, claims 40 and 43-46 are presented in independent form.

### *Examiner's Amendment*

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph C. Redmond, Jr. (Attorney of Record) on 05-August-2005 (see enclosed Interview Summary, paper No. 20050805-1.)

### *Listing of the Claims*

The following is a complete listing of claims presently pending in the application. The status indicator "Currently Amended" refers to the amendment(s) made by the examiner. This listing replaces all previous claims listings in the present application:

1. (Canceled)

2. (Currently Amended) The device of Claim 40 wherein the means for forming an electronic image further comprises:

j) a1) data processing means responsive to control means for receiving and converting optical information of the image and correlating location and environmental information with the contents of the image into compressed digital form for storage in a local memory.

3. (Currently Amended) The device of Claim 40 wherein means for determining the geographical location of the image further comprise:

k) b1) a GPS interface and processing logic unit linked to at least one space satellite for converting satellite signals into geographical coordinates in digital form for storage in the memory and indicative of the image geographical, location.

4. (Currently Amended) The device of Claim 40 wherein the means for accessing descriptive texts of a plurality of objects of interest further comprises:

l) d1) a network interface to a database responsive to a user for selecting the stored descriptive text related to the object of interest recorded in the digital image.

5. (Canceled)

6. (Currently Amended) The device of Claim 40 further comprising:

ø)     j)     environmental sensing means for collecting and storing environmental conditions related to the image at a geographical location for recording in the medium.

7. (Canceled)

8. (Currently Amended) The device of Claim 40 further comprising:

þ)     j)     wireless means for connecting and providing to the network the geographic location and environmental conditions of the object of interest stored in the memory for processing and recording in a medium by the network.

9. (Currently Amended) The device of Claim 8 further comprising

ϣ)     k)     a terminal coupled to the network and responsive to a user to obtain, display and record the geographical location and descriptive text in the medium.

10. (Previously Presented) The device of Claim 40 wherein said means of communicating includes wireless communication.

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11. (Currently Amended) The device of Claim 40 further comprising:

    i) a terminal coupled to the network and responsive to a user input to obtain, select, display and record the stored image of the object of interest with or without geographical location and descriptive text in the medium.

12. (Canceled)

13. (Canceled)

14. (Currently Amended) The method of Claim 45 wherein the ~~means for~~ step of forming an electronic image further comprises the step of:

    a) receiving and converting optical information of the object of interest into compressed digital form.

15. (Currently Amended) The method of Claim 45 further comprising the step of:

    b) converting satellite signals into geographical coordinates in digital form indicative of the image geographical location.

16. (Currently Amended) The method of Claim 45 further comprising the step of

    c) selecting the stored descriptive text related to the object of interest at the geographical location to be recorded in the digital image.

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17. (Previously Presented) The method of Claim 45 wherein the step of determining geographical location includes determining latitude and longitude.

18. (Canceled)

19. (Currently Amended) The method of Claim 45 further comprising the step of:

k) h) collecting and storing environmental conditions at a geographical location related to the image for recording in the medium.

20. (Currently Amended) The method of Claim 45 further comprising the step of:

l) h) connecting and providing to a network using network protocols, the image, geographical location, and environmental conditions of the object of interest stored in the image-collecting device for processing and recording in a medium by the network.

21. (Currently Amended) The method of Claim 45 further comprising the step of,

m) h) storing thumbnail images related to objects of interest in the remote data processing system according to geographical location coordinates.

22. (Currently Amended) The method of Claim 45 further comprising the step of:

n) h) transmitting geographical location coordinates of an object of interest to the remote data processing system;

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o) i) receiving a thumbnail image related to the geographical location coordinates from the remote data processing system; and recording the related thumbnail image in the medium.

23. (Currently Amended) The method of Claim 45 further comprising the step of:

p) h) editing the image to include the related geographical location and descriptive text.

24. (Canceled)

25. (Previously Presented) The program medium of Claim 46 further comprising:

h) program instructions for converting satellite signals into geographical coordinates in digital form indicative of the image geographical location for storage in an image collecting device.

26. (Canceled)

27. (Currently Amended) The program medium of Claim 46 further comprising:

i) h) program instruction in the medium collecting and storing environmental conditions related to the image at a geographical location for recording in the medium.

28. (Currently Amended) The program medium of Claim 46 further comprising:

j) h program instruction in the medium for accessing thumbnail images of objects of interest in the remote data processing system according to geographical location coordinates.

29. (Currently Amended) The program medium of Claim 46 further comprising:

k) h program instruction in the medium obtaining and inserting a thumbnail of an object of interest according to geographical location coordinates and storing in a medium.

30. (Canceled)

31. (Previously Presented) The system of Claim 43 wherein the geographical location coordinates provided to the network are the geographical location coordinates of the terminal creating the message.

32. (Previously Presented) The system of Claim 43 wherein the geographical location coordinates are established at the completion of the creation of the electronic message.

33. (Previously Presented) The system of Claim 43 wherein the geographical location coordinates are established at the start of the creation of the electronic message.

34. (Canceled)



35. (Canceled)

36. Canceled

37. (Previously Presented) The method of Claim 45 wherein the obtained images are provided as part of advertising.

38. (Currently Amended) The method of Claim 45 further comprising the step of:

~~g)~~ h) offering the images to users in a prioritized manner based on the amount of payment associated with each image.

39. (Currently Amended) The method of Claim 45 further comprising the step of:

~~h)~~ h) providing the sender of an electronic message an incentive to include an advertising image in the message.

40. (Previously Presented) A camera device for recording an image including a geographical location, related descriptive text and/or environmental conditions in a medium, comprising:

- a) means for forming an electronic image of an object of interest in digital form;
- b) means for determining a geographical location of the image in digital

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form;

c) means for storing the digital image and the geographical location thereof

in a memory;

d) means for storing and accessing descriptive text related to the image at the geographical location;

e) means for selecting and correlating the descriptive text with the image at the geographical location;

f) means for recording the image, related geographical location and descriptive text;

g) means for communicating the recorded image with or without related geographical location and descriptive text to a network for subsequent processing using network protocols;

h) a server in the network for storing descriptive text of objects of interest; and

i) means under user control for communicating with and accessing the server for correlating and recording the digital image with geographical location and descriptive text stored in the server associated with the object of interest in a medium.

41. (Canceled)

42. (Canceled)

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43. (Previously Presented) A system for incorporating images in an electronic message, comprising:

- a) means for obtaining geographical coordinates of a location;
- b) means for providing the geographical location coordinates to a network and obtaining images from the network according to the geographical location coordinates
- c) means for accessing location images, in lieu of taking a picture, stored in the network according to the geographical location coordinates;
- d) a terminal for generating electronic messages wherein the terminal is a laptop or personal digital assistant or other computer device and linked to a network by a wired or wireless connection; and
- e) means for incorporating in an electronic message transmitted over the network, where the message was created, at least one of the location images obtained from the network.

44. (Previously Presented) A camera device for recording an image including a geographical location, environmental conditions at the location and related descriptive text in a medium, comprising:

- a) means for forming an electronic image of an object of interest in digital form;
- b) means for determining a geographical location of the image and related environmental conditions;
- c) means for recording the image, environmental conditions and related geographical location;

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- d) means for communicating the recorded image, environmental conditions with related geographical location to a network for subsequent processing;
- e) a server in the network for storing descriptive text of objects of interest; and
- f) means for communicating with and accessing the server for programmatically correlating and recording the digital image with geographical location, environmental conditions and descriptive text associated with the object of interest in a medium under user control.

45. (Currently Amended) In a system including an image-collecting device coupled to a remote data processing system and a workstation via a network using network protocols, a method for recording an image including a geographical location, and/or environmental conditions in a medium, comprising the steps of:

- a) forming an electronic image of an object of interest in digital form in the image-collecting device;
- b) determining a geographical location of the image in digital form;
- c) capturing and storing the digital image and the geographical location thereof in a memory;
- d) storing descriptive text of a plurality of objects of interest related to the digital image at a geographical location in a remote processing system or workstation;
- ~~f)~~ e) communicating with and accessing the remote processing system or workstation wherein accessing the remote processing system or workstation correlates and

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records the digital image with the geographical location, and descriptive text associated with the object of interest in a medium.

g) f) selecting and associating the descriptive text with the digital image in the work station; and

h) g) printing the digital image with the geographical location, and descriptive text associated with the object of interest in the medium at the workstation.

46. (Currently Amended) ~~An~~ In an article of manufacture:

A program medium, executable in a computer system, for recording all image including a related descriptive text, geographical location information and/or environmental conditions in a medium, comprising:

a) program instruction in the medium forming an electronic image of an object of interest in digital form;

b) program instruction in the medium determining a geographical location of the image in digital form;

c) program instruction in the medium capturing and storing the digital image and the geographical location thereof in an image-collecting device wherein the program instructions convert satellite signals into geographical coordinates in digital form indicative of the image geographical location for storage in the image-collecting device.

d) program instruction in the medium for storing and accessing descriptive text of a plurality of objects of interest related to the image at a geographical location in a remote data processing system or workstation, wherein accessing the remote processing system or

workstation correlates and records the digital image with the geographical location, and descriptive text associated with the object of interest in a medium;

- e) program instructions in the medium for accessing and correlating the digital image with the geographic location at the workstation;
- f) program instructions in the medium for programmatically correlating the descriptive text with the image at the geographical location under user direction; and
- g) program instructions in the medium enabling selection and recording the image with the geographical location and associated descriptive text in a picture.

*Allowance*

3. Claims 2-4, 6, 8-11, 14-17, 19-23, 25, 27-29, 31-33, 37-40 and 43-46 are allowed over the prior art made of record.
4. The following is an examiner's statement of reasons for allowance:

The applicant's amendment After Final, filed on 28-July-2005, and the examiner's amendment, authorized by the attorney of record on 05-August-2005, overcome the cited prior art with respect to the independent claims:

Independent claims 40, 43 and 44 were previously allowed over the prior art made of record (Final Office Action, dated 17-May-2005).

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Newly added independent claim 45 includes the limitations of the previously rejected independent claim 41 (presently canceled) and the allowable subject matter of its dependent, claim 18 (presently canceled.)

Newly added independent claim 46 has been further amended by the examiner to include the limitations of the previously rejected independent claim 42 (presently canceled) as well as the allowable subject matter of its dependent, claim 26 (presently canceled.)

Further, the prior art of record, Bellesfield et al (U.S. Patent No. 6,282,489), Crosby et al (U.S. Patent No. 6,577,311), Abram et al (U.S. Patent No. 6,462,778), Cho (U.S. Patent No. 6,292,228), Murphy et al (U.S. Patent No. 6,282,362), and Tobin (U.S. Patent No. 6,141,666), do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claims):

means for storing and accessing descriptive text related to the image at the geographical location;

means for selecting and correlating the descriptive text with the image at the geographical location;

means for communicating the recorded image to a network for subsequent processing using network protocols; and

means under user control for communicating with and accessing the server for correlating and recording the digital image with geographical location and descriptive text stored in the server associated with the object of interest in a medium, as recited in independent claim 40.

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means for obtaining geographical coordinates of a location;

means for providing the geographical location coordinates to a network and obtaining images from the network according to the geographical location coordinates;

means for accessing location images, in lieu of taking a picture, stored in the network according to the geographical location coordinates; and

means for incorporating in an electronic message transmitted over the network, where the message was created, at least one of the location images obtained from the network, as recited in independent claim 43.

means for determining a geographical location of the image and related environmental conditions;

means for recording the image, environmental conditions and related geographical location;

means for communicating the recorded image, environmental conditions with related geographical location to a network for subsequent processing; and

means for communicating and accessing the server for programmatically correlating and recording the digital image with geographical location, environmental conditions and descriptive text associated with the object of interest in a medium under user control, as recited in independent claim 44.



accessing the remote processing system or workstation and correlating and recording a digital image with the geographical location, and descriptive text associated with the object of interest in a medium, as recited in independent claims 45 and 46.

Claims 2-4, 6, and 8-11 are allowed over the prior art made of record because they are dependents from the allowed independent claim 40.

Claims 31-33 are allowed over the prior art made of record because they are dependents from the allowed independent claim 43.

Claims 14-17, 19-23 and 37-39 are allowed over the prior art made of record because they are dependents from the allowed independent claim 45.

Claims 25, and 27-29 are allowed over the prior art made of record because they are dependents from the allowed independent claim 46.

### ***Conclusion***

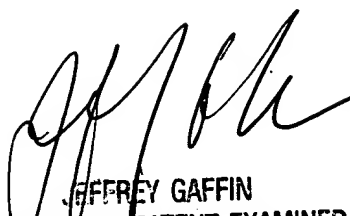
5. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Gaffin, can be reached at (571) 272-4146.

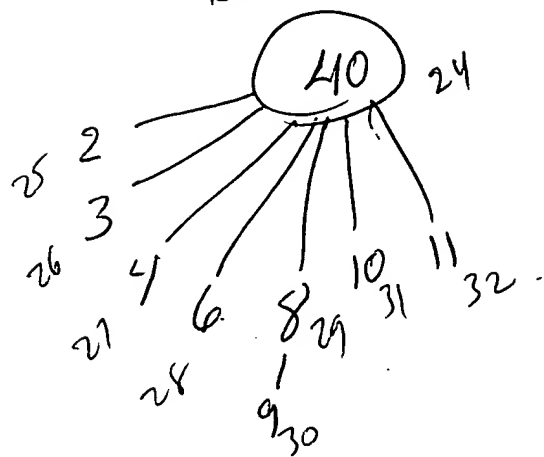
tm

August 5, 2005



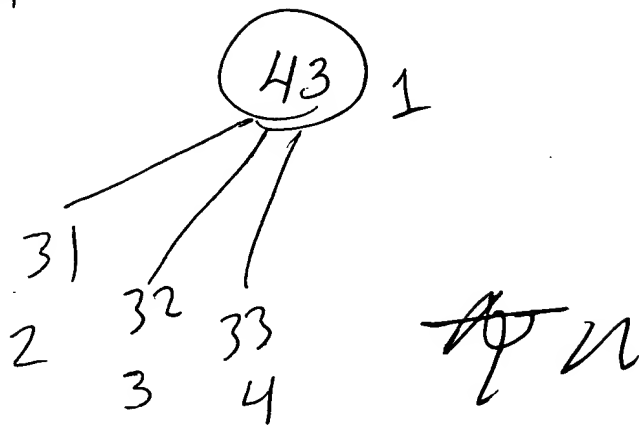
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Device (23)



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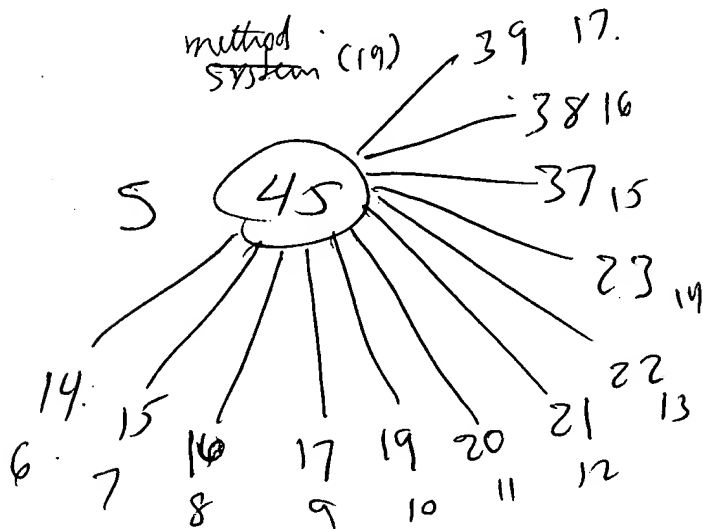
System (13).



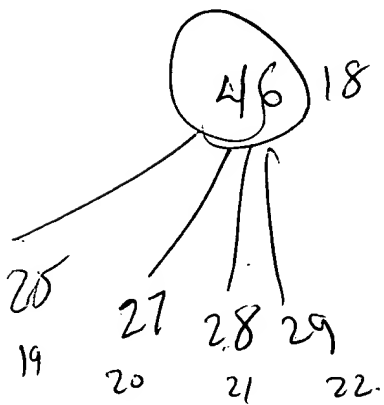
Device (17)



Method  
System (19)



Program med. (20).



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claims